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JULIO MENDOZA MADRIGAL

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

Case No.: 2:21-cr-0110 DAD-2

UNITED STATES OF AMERICA,

Plaintiff,

vs.

JULIO MENDOZA MADRIGAL,

Defendant.

STIPULATION AND ORDER TO  
CONTINUE SENTENCING HEARING AND  
MODIFY PRE-SENTENCE  
INVESTIGATION REPORT DISCLOSURE  
SCHEDULE

Court: Hon. Dale A. Drozd  
Date: June 24, 2024  
Time: 9:30 a.m.

This matter is currently set for a Sentencing Hearing on June 24, 2024. Defendant Julio Mendoza Madrigal (hereafter Mr. Mendoza) requests to continue the Sentencing Hearing to September 24, 2024. Mr. Mendoza's probation interview has been completed. The request for a continuance is based on the following circumstances, which the defense believes constitute good cause:

ORDER CONTINUING SENTENCING  
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PSR DISCLOSURE SCHEDULE

- 1       1. Mr. Mendoza is presently housed at the Wayne Brown Correctional Facility (WBCF)  
2       in Nevada City, California. WBCF is sixty-five miles from defense counsel's  
3       downtown Sacramento office.
- 4       2. Mr. Mendoza's primary language is Spanish. While his English language skills are  
5       good, he requires the assistance of a Spanish language interpreter for court  
6       proceedings or to discuss complex legal matters. A Spanish interpreter will be  
7       needed to review the draft Pre-Sentence Investigation Report (PSR) with Mr.  
8       Mendoza to ensure that he understands the Sentencing Guideline calculations and  
9       how the factors set out in 18 U.S.C. § 3553(a) may apply to his case.  
10      3. Defense counsel recently completed a lengthy jury trial before Chief Judge Mueller  
11      in the matter of *United States v. Yandell, Sylvester, and Troxell*, Case No. 2:19-cr-  
12      0107 KJM. Jury selection in the *Yandell* case started on February 20, 2024. The jury  
13      returned verdicts in the case on April 30, 2024.
- 14      4. Defense counsel became ill with the flu after conclusion of the *Yandell* trial. This  
15      illness required defense counsel to stay home and recover for approximately ten days  
16      at the beginning of May. It also complicated scheduling Mr. Mendoza's probation  
17      interview with the assigned probation officer at WBCF. Mr. Mendoza insisted that  
18      defense counsel be present with him during the interview. Defense counsel concurred  
19      with this request.
- 20      5. The assigned probation officer and defense counsel coordinated their schedules,  
21      following defense counsel's recovery from the flu. They conducted an in-person  
22      interview of Mr. Mendoza at WBCF on the earliest mutually available date - Monday,  
23

June 3, 2024.

Given Mr. Mendoza's location, the *Yandell* trial schedule, defense counsel's illness, and the need for a Spanish language interpreter to assist Mr. Mendoza, defense counsel requires additional time to prepare for the Sentencing Hearing in this matter. It is therefore requested that the Court vacate the Sentencing Hearing on June 24, 2024, and set a Sentencing Hearing on September 24, 2024. The assigned probation officer has confirmed her availability on the requested date. The government does not oppose the request.

The defense further requests to modify the Pre-Sentence Investigation Report (PSR) Disclosure Schedule as follows:

1. Draft Pre-Sentence Report Date: August 13, 2024;
2. Informal Objections to Draft Pre-Sentence Report: August 27, 2024;
3. Final Pre-Sentence Report Date: September 3, 2024;
4. Motion for Correction Date: September 10, 2024; and
5. Reply Date: September 17, 2024

This request follows a guilty plea so an exclusion of time pursuant to the Speedy Trial Act is not required. Assistant U.S. Attorney Angela Scott has authorized Todd D. Leras via email to sign this stipulation on her behalf.

DATED: June 19, 2024

By /s/ Todd D. Leras for  
ANGELA L. SCOTT  
Assistant United States Attorney

DATED: June 19, 2024

By /s/ Todd D. Leras  
TODD D. LERAS  
Attorney for Defendant  
JULIO MENDOZA MADRIGAL

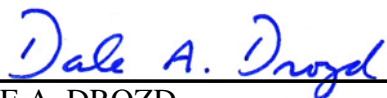
ORDER CONTINUING SENTENCING  
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PSR DISCLOSURE SCHEDULE

**ORDER**

Given the above stipulations between the parties, and good cause appearing to exist, the Sentencing Hearing, currently set for June 24, 2024, is vacated. The Sentencing Hearing in this matter is continued to September 24, 2024, at 9:30 a.m. The PSR Disclosure Schedule requested by the parties is adopted. The parties acknowledge and understand that no further continuances of the Sentencing Hearing will be entertained absent the existence of good cause.

IT IS SO ORDERED.

Dated: June 20, 2024

  
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DALE A. DROZD  
UNITED STATES DISTRICT JUDGE

ORDER CONTINUING SENTENCING  
HEARING AND MODIFYING  
PSR DISCLOSURE SCHEDULE